

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Liquidation of Bernard L. Madoff Investment
Securities LLC,

Plaintiff,

v.

HSBC BANK PLC, *et al.*

Defendants.

Adv. Pro. No. 09-01364 (SMB)

**[PROPOSED] ORDER ISSUING A LETTER OF REQUEST FOR SERVICE
ABROAD OF JUDICIAL OR EXTRAJUDICIAL DOCUMENTS IN
CIVIL OR COMMERCIAL MATTERS**

Upon the Motion (the “Motion”), dated November 17, 2020, brought by Irving H. Picard, as trustee (the “Trustee”) for the substantively consolidated SIPA liquidation of the business of Bernard L. Madoff Investment Securities LLC, and the Chapter 7 estate of Bernard L. Madoff, seeking entry of an Order (the “Order”) issuing a Letter of Request (as defined in the Motion) to be transmitted, via the appropriate channels, to the applicable court in Austria to obtain the

testimony of Anton Koller; and it appearing that due and sufficient notice of the Motion has been given under the circumstances; and it further appearing that the relief sought in the Motion is appropriate based upon the information provided in the Motion and in the record; and it further appearing that this Court has jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157(a) and 1334(b); and after due deliberation; and sufficient cause appearing therefor; it is hereby

ORDERED that the Motion is granted; and it is further

ORDERED that the Letter of Request, in the form submitted with the Motion, shall be signed and sealed by the Court for transmission to the appropriate judicial authority in Austria so that valid service of process may be effectuated upon Mr. Koller.

Dated: _____
New York, New York

HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE